IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

MONDAY, THE 13TH AUGUST 2007 / 22ND SRAVANA 1929

WP(C).No. 21557 of 2005(N)

PETITIONER:

M. AMBU, AGED 78 YEARS,
S/O. KANNAN, METTAMMAL HOUSE, VADAKKUMBAD,
KARIVELLUR, KANNUR DISTRICT.

BY ADV. SRI.M.SASINDRAN,
SRI.SREEJITH S.NAIR.

RESPONDENTS:
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1. **UNION OF INDIA,**
   REPRESENTED BY SECRETARY TO GOVERNMENT,
   MINISTRY OF HOME AFFAIRS, FREEDOM FIGHTER'S CELL,
   LOK NAYAK BHAVAN, NEW DELHI.

2. **STATE OF KERALA,**
   SECRETARY TO GOVERNMENT, DEPARTMENT OF GENERAL
   ADMINISTRATION, THIRUVANANTHAPURAM.

BY ADV. SRI.SAJU XAVIER T, CGC FOR R1,
GOVERNMENT PLEADER SRI. V.T.K. MOHANAN FOR R2.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 13/08/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C). NO.21557/2005:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE SWATHANTRA SAINIK SAMMAN SCHEME.

EXT.P.2: COPY OF THE EXTRACT OF UNDER TRIAL PRISONER'S REGISTER PERTAINING TO THE PETITIONER.

EXT.P.3: COPY OF THE ORDER DTD. 03/04/1975.

EXT.P.4: COPY OF THE LETTER DTD. 28/09/1998.

RESPONDENT'S EXHIBITS: NIL.

//TRUE COPY//

prv.

T.R.RAMACHANDRAN NAIR, J.

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WP(C).No. 21557 of 2005-N.

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Dated this the 13th day of August, 2007.

J U D G M E N T

The petitioner is aggrieved by the inaction on the part of the respondents in taking steps to grant pension under the Swathantrata Sainik Samman scheme. It is averred in the writ petition that the petitioner is a prominent freedom fighter and is entitled for the benefit of the scheme. Ext.P3 is the order by which he was granted pension under the Kerala Freedom Fighters Pension scheme. Ext.P4 is a letter issued by the Government of India to the petitioner stating that they are awaiting the report from the 2nd respondent in the matter to consider the grant of pension under the SSS Pension Scheme.

2. A counter-affidavit has been filed on behalf of the 2nd respondent. In para.3 it is averred that no application for SSS pension in respect of the petitioner is seen received by the State Government. It is further mentioned that the District Collector has also reported that the application of the petitioner is not found in his office also. The learned counsel for the petitioner submits that the petitioner had forwarded the applications simultaneously to the State Government and the Central Government and also stated that in view of the stand taken the petitioner will submit another

copy of the application along with the details before the State Government through the District Collector.

3. Therefore, if the petitioner submits a fresh set of papers including the application and the other documents which he is relying upon before the District Collector, Kannur within a period of six weeks from today, the District Collector shall verify the same and forward them to the 2nd respondent for transmission to the first respondent in accordance with the scheme. Since the matter has been pending for a long term, expeditious action will be taken by the respondents to consider his application for sanction of the pension.

With the above direction this writ petition is disposed of. No costs.

T.R.RAMACHANDRAN NAIR, JUDGE.

Kvs/-